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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/994,872 | 11/28/2001 | Tsunehiro Tsukada | 35.G2941 | 9796 |

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FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

HANG, VU B

ART UNIT PAPER NUMBER

2622

DATE MAILED: 03/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/994,872

Applicant(s)

TSUKADA, TSUNEHIO

Examiner

Vu B. Hang

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11/28/2005
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 6-8, 11-13 and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vidyanand (US Patent 6,330,071 B1) in view of Edmunds (US Patent 6,006,281).

Regarding **Claims 1, 3, 6, 8, 11, 13 and 16-18**, Vidyanand discloses an information processing apparatus (see Fig.14 and Col.2, Line 34-41) comprising: a generation unit adapted to generate print data corresponding top the print job created at the client computer (see Fig.14 (1404), Col.4, Line 41-47 and Col.6, Line 34-47) and a transmission control unit adapted to control transmission so that the print data generated by the generation unit is transmitted to a print server (see Fig.14 (1403), Col.6, Line 26-33 and Col.6, Line 46-47). Vidyanand fails to expressly disclose generating, in response to a request from external apparatus, print data corresponding to a screen displayed on the external apparatus. Edmunds, however, discloses a print data processing system comprising a communication means between a client browser and a web server and a print data generation means for generating print data corresponding to a screen displayed on the external client screen (see Col.3, Line 41-49 and Col.6, Line 27-44).

Vidyanand and Edmunds are combinable because they from the same field of endeavor, namely print data processing apparatuses. At the time of the invention, it would have been obvious for one skilled in the art to include a print data generation unit for generating, in

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response to a request from external apparatus, print data corresponding to a screen displayed on the external apparatus. The motivation for doing so would be to enable the information processing apparatus to generate the print data as is displayed on the client browser.

Regarding **Claims 2, 7, 12 and 17**, Vidyanand further discloses a specification unit adapted to specify a template for generating the print data and data to be inserted into the template (see Fig.10, Col.3, Line 1-7 and Col.5, Line 50-59), wherein the generation unit generates the print data based on the template and the data specified by the specification unit (see Fig.14 (1404)).

Claims 4-5, 9-10, 14-15 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vidyanand (US Patent 6,330,071 B1) in view of Edmunds (US Patent 6,006,281), and in further view of Levine et al. (US Patent 6,020,973).

Regarding **Claims 4, 9, 14 and 19**, Vidyanand and Edmunds disclose the information processing apparatus of Claim 1 above. Vidyanand further discloses that the transmission control unit controls the transmission so that the print data and information designating the printer determined by the determination unit is transmitted (see Fig.14 (1403), Col.6, Line 26-33 and Col.6, Line 46-47). Vidyanand and Edmunds fail to expressly disclose a determination unit to determine when the print server can transmit data to a plurality of printers. Levine, however, discloses a determination unit (see Fig.5 (206, 208)) to determine, when the print server can transmit data to a plurality of printers, which printer is to be used to perform printing by analyzing the request from the external apparatus (see Col.5, Line 15-26, Col.8, Line 43-63 and Col.10, Line 51-62).

Vidyanand, Edmunds and Levine are combinable because they from the same field of endeavor, namely print data processing apparatuses. At the time of the invention, it would have been obvious for one skilled in the art to include a determination unit to determine, when the print server can transmit data to a plurality of printers, which printer is to be used to perform printing by analyzing the request from the external apparatus. The motivation for doing so would be to enable the information processing apparatus to determine and choose the best available printers in the apparatus. Printers in a network environment could have different capabilities and availability statuses. Therefore, it is necessary to determine the best available printers in the network to carry out the printing operation in accordance to the print data.

Regarding **Claims 5, 10, 15 and 20**, Vidyanand and Edmunds disclose the information processing apparatus of Claim 1 above but fail to expressly disclose an obtaining unit adapted to obtain the status information on the plurality of printers and a selection control unit to prohibit the selection of unusable printers. Levine, however, discloses an obtaining unit adapted to obtain, when the printer can transmit to plurality of printers, status information on a plurality of printers (see Fig.5 (208) and Col.11, Line 1-8) and a selection control nit to select a plurality of printers (see Col.5, line 26-29).

Vidyanand, Edmunds and Levine are combinable because they from the same field of endeavor, namely print data processing apparatuses. At the time of the invention, it would have been obvious for one skilled in the art to include to the selection control unit a means for prohibiting the selection of unusable printers in the apparatus based on the obtained status information. The motivation for doing so would be to ensure that the best available printers in the apparatus are selected to carry out the printing operations in accordance to the print data.

Claims 21-25 recite identical features as Claims 1-5 except Claim 21-25 are in a form of a computer readable recording medium. Thus, arguments similar to that presented above for Claims 1-5 are equally applicable to Claim 21-25 because without a computer readable recording medium to store a program that makes it possible for the apparatus to operate, the apparatus described in Claims 1-5 could not function.

Claims 26-30 recite identical features as Claims 1-5 except Claim 26-30 are in a form of a computer-executable program stored on a computer readable medium. Thus, arguments similar to that presented above for Claims 1-5 are equally applicable to Claim 26-30 because without a computer-executable program stored on a computer readable recording medium that makes it possible for the apparatus to operate, the apparatus described in Claims 1-5 could not function.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vu B. Hang whose telephone number is (571) 272-0582. The examiner can normally be reached on Monday-Friday, 9:00am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Vu Hang
Assistant Examiner



JOSEPH R. POKRZYWA
PRIMARY EXAMINER
ART UNIT 2622

